

UNITED STATES DISTRICT COURT
for
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

U.S.A. vs. Earnest Carswell

Docket No. 5:13-MJ-1874

Petition for Action on Probation

COMES NOW Nikki Allen, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Earnest Carswell, who, upon an earlier plea of guilty to 21 U.S.C. § 844(a), Simple Possession of Marijuana and Simple Possession of a Controlled Substance, was sentenced by the Honorable James E. Gates, U.S. Magistrate Judge, on October 8, 2013, to a 12 month term of probation under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall not incur new credit charges or open additional lines of credit without the approval of the probation office.
2. The defendant shall provide the probation office with access to any requested financial information.
3. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measure and may require residence or participation in a residential treatment facility.
4. The defendant shall be confined to the custody of the Bureau of Prisons for a period of 15 days as directed by the probation office, and shall abide by all rules and regulations of the designated facility.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

The defendant's probation is scheduled to expire on October 7, 2014. The defendant has not paid the court ordered \$1,000.00 fine and \$50.00 assessment fee. The defendant has experienced significant periods of unemployment during his term of probation, but recently has obtained a job at Mountaire. It is requested that the term of probation be extended for a period of ten months to expire on August 7, 2015, so that the defendant can pay the court ordered monetary obligations. The defendant signed a Waiver of Hearing agreeing to the proposed extension of supervision.

PRAYING THAT THE COURT WILL ORDER that probation be modified as follows:

That the term of supervision be extended for a period of ten months to expire on August 7, 2015.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Robert K. Britt
Robert K. Britt
Senior U.S. Probation Officer

/s/ Nikki Allen
Nikki Allen
U.S. Probation Officer
310 Dick Street
Fayetteville, NC 28301
Phone: (910) 483-8613
Executed On: September 26, 2014

ORDER OF COURT

Considered and ordered this 29th day of September, 2014, and ordered filed and made a part of the records in the above case.



James E. Gates
U.S. Magistrate Judge